

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

STEVEN VLASICH,

Plaintiff,

v.

DR. HOFFMAN,

Defendant.

1: 99-CV-6472 AWI WMW P

**ORDER GRANTING REQUEST FOR
CONTINUANCE OF TRIAL**

**ORDER VACATING WRIT HABEAS
CORPUS AD TESTIFICANDUM**

**ORDER SETTING TRIAL FOR
SEPTEMBER 30, 2008**

(Document #124)

Plaintiff Steven Vlasich, an inmate in the custody of the California Department of Corrections, brings this civil rights action against a doctor for violations of his civil rights and medical malpractice. Trial is set for June 10, 2008.

On June 3, 2008, Defendant filed a notice of unavailability of a trial witness and a request for a continuance of the trial. Defendant's notice states that G. Roger, R.N. will not be available for trial on June 10, 2008 because a family emergency has required him to be in Oklahoma. Defendant states that G. Roger, R.N. is a necessary witness in this action.

The court has reviewed Defendant's notice and request, along with the file, and finds good cause to continue the trial. Mr. Roger is a pertinent witnesses to the events at issue in this action, and both parties have listed him on their witness list.

Accordingly, the court ORDERS that:

1. Defendant's request for a continuance is GRANTED.
2. The June 10, 2008 trial date is VACATED.
3. The writ of habeas corpus ad testificandum issued to the Warden of the California State Prison, Corcoran on May 12, 2008 is VACATED. The court will issue a new writ closer to the new trial date.
4. Trial in this matter is set for September 30, 2008 at 8:30 a.m.
5. The Clerk of the Court is DIRECTED to serve a copy of this order on the Warden of the California State Prison, Corcoran.

IT IS SO ORDERED.

Dated: June 4, 2008

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE